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## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 1, 5, and 10 objected to because of the following informalities: claims recites the term “RBI” without defining it in the claims or spelling out the abbreviation if so as RBI can be interpreted in a variety of ways. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2, 3, 5, 8-11, and 13 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 2, 3, and 13 recites “it” which is unclear and confusing whether it refers to RBI, the request for permit, or the acceptance of the request which makes the claims indefinite.

Claims 8 and 11 recites “his” which is unclear and confusing if this refers to the originating or terminating user or a different user.

Claim 9 line 4 recites “the caller’s number” which unclear and confusing as the caller could be the originating or terminating terminal user as they each can make calls or if it refers to a different caller.

Claims 2, 3, 5, 10, and 13 recites “in case” which renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Appropriate clarification and/or correction is required.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1-14 rejected under 35 U.S.C. 102(e) as being anticipated by Banks et al.,**

**Patent #6,856,673.**

Regarding claim 1, Banks teaches a method for providing a variety of RBI from the terminating terminal to the originating terminal during the call setup time in the communication system that includes lots of terminals and the exchanges controlling the connection of communication paths between terminals(Fig.2 and Fig.6), the method comprising the steps of:

a communication network receives a call setup request from the originating terminal(col.4 lines 49-60); the network notifies the terminating terminal that a call request is received, in response to the call request from the originating terminal(col.3 lines 1-19); the terminating terminal transmits the RBI to the network; and the network delivers to the originating terminal the RBI received from the terminating terminal(Fig.1, Fig.6 and col.1 line 57-col.2 line 19, col.3 lines 20-40, and col.4 lines 49-60).

Regarding claim 2, Banks teaches a method for providing a variety of RBI from the terminating terminal to the originating terminal during the call setup time as recited in Claim 1, wherein further includes the step: The terminating terminal requests the network to permit the

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transmission of RBI; and, in case there is a request for permit of RBI transmission from the terminating terminal, the network decides whether to accept the request or not, and then inform the terminating terminal of it (Fig.2, Fig.6, col.3 lines 1-19, and col.4 lines 49-60).

Regarding claim 3, Banks teaches a method for providing a variety of RBI from the terminating terminal to the originating terminal during the call setup time as recited in Claim 1, wherein further includes the step:

the network requests the terminating terminal to transmit the RBI; and, in case there is a request for RBI transmission from the network, the terminating terminal decides whether to transmit the RBI or not, and then informs the network of it (Fig.2, Fig.6, col.3 lines 1-19, and col.4 lines 49-60).

Regarding claim 4, Banks teaches a method for providing a variety of RBI from the terminating terminal to the originating terminal during the call setup time as recited in Claim 1, wherein the network selectively provides the originating terminal with the RBI transmitted from the terminating terminal (Fig.2, Fig.6, col.3 lines 1-19, and col.4 lines 49-60).

Regarding claim 5, Banks teaches a system for providing a variety of RBI from the terminating terminal to the originating terminal during the call setup time in the communication system comprising lots of terminals and the network controlling the connection of communication paths between terminals, wherein; terminals that transmit RBI to the network, in case there is a call request from the network during the call setup time, and the network that delivers the originating terminal with the RBI transmitted from the terminating terminal during the call setup time (Fig.2, Fig.6, col.1 line 57-col.2 line 19, col.3 lines 1-19, and col.4 lines 49-60).

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Regarding claim 6, Banks teaches a system for providing a variety of RBI from the terminating terminal to the originating terminal during the call setup time in the communication system as recited in Claim 5, wherein the network selectively permits the transmission of the RBI from the terminating terminal based on the profile information of the terminating terminal (Fig.2, Fig.6, col.1 line 57-col.2 line 19, col.3 lines 1-19, and col.4 lines 49-60).

Regarding claim 7, Banks teaches a system for providing a variety of RBI from the terminating terminal to the originating terminal during the call setup time in the communication system as recited in Claim 5, wherein the terminal includes;

a storage means for storing a variety of RBI, and

a control means for controlling the transmission of RBI to the network, where a variety of RBI is stored in the above-mentioned storage means (Fig.2, Fig.6, col.1 line 57-col.2 line 19, col.3 lines 1-19, and col.4 lines 49-60).

Regarding claim 8, Banks teaches a system for providing a variety of RBI from the terminating terminal to the originating terminal during the call setup time in the communication system as recited in Claim 7, wherein the terminal further includes;

an optional control means by which a user can select the transmission of

RBI at his option (Fig.2, Fig.6, col.1 line 57-col.2 line 19, col.3 lines 1-19, and col.4 lines 49-60).

Regarding claim 9, Banks teaches a system for providing a variety of RBI from the terminating terminal to the originating terminal during the call setup time in the communication system as recited in Claim 7, wherein the above-mentioned control means selects and transmits the RBI, corresponding to the caller's number (Fig.2, Fig.6, col.1 line 57-col.2 line 19, col.3 lines 1-19, and col.4 lines 49-60).

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Regarding claim 10, Banks teaches a communication terminal for providing a variety of RBI during the call setup time in the communication system(Fig.2), wherein includes; a sound input means , a sound output means, a key input means for putting the telephone numbers in(fig.1-2), a communication network interface means for connecting with communication network, a storage unit for storing a variety of RBI(Fig.1-2, col.3 lines 1-19, and col.4 lines 49-60), and a control means for controlling the transmission of the RBI stored in the storage means to the communication network during the call setup time, in case the terminal receives a call request from the communication network(Fig.2, Fig.6, col.1 line 57-col.2 line 19, col.3 lines 1-19, and col.4 lines 49-60).

Regarding claim 11, Banks teaches a communication terminal for providing a variety of RBI during the call setup time in the communication system as recited in Claim 10, wherein further includes; an optional means by which a user can select the transmission of RBI at his option(fig.1-2, col.3 lines 1-19, and col.4 lines 49-60).

Regarding claim 12, Banks teaches a communication terminal for providing a variety of RBI during the call setup time in the communication system as recited in Claim 10, wherein the control means transmits the RBI, corresponding to the caller's telephone number(fig.1-2, col.3 lines 1-19, and col.4 lines 49-60).

Regarding claim 13, Banks teaches a communication terminal for providing a variety of RBI during the call setup time in the communication system as recited in Claim 10, in which the control means requests the permission of RBI transmission, in case there is a call request from the communication network, and, when permitted, it controls the

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transmission of RBI to the communication network(fig.1-2, col.1 line 57-col.2 line 19, col.3 lines 1-19, and col.4 lines 49-60).

Regarding claim 14, Banks teaches a communication terminal for providing a variety of RBI during the call setup time in the communication system as recited in Claim 13, in which the control means informs the user of the rejection, in case the communication network rejects the request for permission of RBI transmission(fig.1-2, col.1 line 57-col.2 line 19, col.3 lines 1-19, and col.4 lines 49-60).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOSEPH T. PHAN whose telephone number is (571)272-7544. The examiner can normally be reached on Mon-Fri 9am-6:30pm EST, off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Joseph T Phan/

Examiner, Art Unit 2614